

April 25, 2000

## **ICC CHAIRMAN RAISES CONCERNS OVER NEW FEDERAL RULES ON WHISTLE BLOWING AT RAIL CROSSINGS**

Illinois Commerce Commission Chairman Richard Mathias, testifying today at a public hearing in Western Springs on the Federal Railroad Administration's train horn rulemaking, raised questions regarding the FRA proposal requiring trains to blast air horns at each crossing they pass, even those equipped with flashing signals and gates. Mathias, in his testimony, pointed out that in addition to causing unnecessary nuisance to hundreds of thousands of people in metropolitan Chicago, the federal rules quite likely would also require the diversion of millions of dollars of state money already earmarked for the systematic upgrade of potentially more dangerous grade crossings throughout Illinois.

"The Illinois Commerce Commission, at the direction of Governor Ryan and the General Assembly, are currently engaged in a statewide grade crossing upgrade program which is targeting the at-risk crossings in Illinois. The FRA's rules unnecessarily divert these funds in order to target metropolitan Chicago area crossings, which already meet tested Illinois safety standards," Mathias said.

"In addition to subjecting metropolitan Chicago to hundreds of thousands of air horn blasts every day, implementation of the FRA rules would require the redirection of available funds currently earmarked to a program which has statistically proven results for upgrading Illinois crossings."

Mathias said state spending for rail crossing improvement projects over the past 25 years has resulted in a dramatic decline in collisions at rail crossings, from 827 accidents in 1976 to 178 in 1999. He noted further that in 1999, the Illinois General Assembly and Governor George Ryan increased funding for rail crossing safety by 50 percent through the Illinois FIRST program, adding money to the ICC's Grade Crossing Protection Fund and to the Illinois Department of Transportation, which allocates funding to improve highway approaches and bridge projects that separate trains from vehicular traffic.

The increase in funding has allowed the Commission to order even more crossing improvement projects and to assist in funding those improvements in a more timely manner. Some of the newest safety features include devices that relay information instantly to the railroad if there is a problem with a signal system.

"We are concerned that the federal rules may impede efforts to improve rail safety in Illinois if they are enacted by the Federal Railroad Administration," Mathias said.

Mathias pointed out in his testimony that the existing grade crossing safety enhancement program targets crossings such as crossbucks, which account for only 1.5% of the average daily traffic in Illinois, but are involved in one-third of Illinois crossing accidents and nearly 40% of all Illinois crossing fatalities.

Mathias told the FRA that the Commission has dealt with train horn warning problems in urban areas for years, by granting exemptions where specific conditions exist. He urged the FRA to consider exemptions as part of the rule it is considering, particularly for states that have such extensive experience with the issue.

####